

Local Form 4A

December 2017

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN THE MATTER OF:

Kimberlyne Greenwood Roundtree

Steven Devan Roundtree

Debtor(s)

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Case Number: 20-30846

Chapter 13

AMENDMENT TO CHAPTER 13 PLAN
AND NOTICE OF OPPORTUNITY FOR HEARING ON CONFIRMATION OF THE PLAN
FOR CASES FILED ON OR AFTER DECEMBER 1, 2017

Check if applicable to this plan amendment:

1.1	A limit on the amount of a secured claim that may result in a partial payment or no payment at all to the secured creditor (Part 3.2)	x	Included		Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest (Part 3.4)		Included	x	Not Included
1.3	Request for termination of the 11 U.S.C. § 362 stay as to surrendered collateral (Part 3.5)		Included	x	Not Included
1.4	Request for assumption of executory contracts and/or unexpired leases (Part 6)		Included	x	Not Included
1.5	Nonstandard provisions	x	Included		Not Included

The Chapter 13 Plan, including certain motions and other provisions, is hereby **amended** as follows:

SECTION 3.2 IS AMENDED AT THE REQUEST OF FOUNDERS CREDIT UNION. THE VALUE OF THE 2014 NISSAN SENTRA IS AMENDED FROM \$4,000.00 AS LISTED IN THE ORIGINAL PLAN TO THE ESTIMATED NADA VALUE OF \$7,000.00. THE CLAIM AMOUNT IS AMENDED FROM \$4972.00 AS LISTED IN THE PLAN TO \$4768.17 AS LISTED IN FOUNDERS CREDIT UNION'S PROOF OF CLAIM. NO OTHER CHANGES TO BE MADE.

3.2 Request for valuation of security, payment of fully secured claims, and modifications of undersecured claims.

Check one.

☐ **None.** If "None" is checked, the rest of Part 3.2 need not be completed or reproduced.

The remainder of this paragraph will be effective only if the applicable box in Part 1 of this Plan is checked.

☒

The Debtor requests that the Court determine the value of the secured claims listed below. For each nongovernmental secured claim listed below, the Debtor states that the value of the secured claim should be as set out in the column headed *Amount of secured claim*. For secured claims of governmental units, unless otherwise ordered by the Court, the value of a secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below. For each listed claim, the value of the secured claim will be paid in full with interest at the rate stated below. Payments on the secured claims will be disbursed by the Chapter 13 Trustee, the Debtor directly, or as otherwise specified below.

The portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Part 5 of this Plan. If the amount of a creditor's secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 5 of this Plan. Unless otherwise ordered by the Court, the amount of the creditor's total claim listed on the proof of claim controls over any contrary amounts listed in this paragraph.

The holder of any claim listed below as having value in the column headed Amount of secured claim will retain the lien on the property interest of the Debtor or the estate until the earlier of:

- (a) Payment of the underlying debt determined under nonbankruptcy law, or
- (b) Discharge of the underlying debt under 11 U.S.C. §1328, at which time the lien will terminate and be released by the creditor.

Name of creditor	Estimated amount of creditor's total claim	Collateral	Value of Collateral	Amount of claims senior to creditor's claim	Amount of secured claim	Interest rate
Founders Federal Credit Union	\$4768.16	2014 Nissan Sentra, Purchased 2017 Mileage unknown	\$7,000.00	\$0	\$4768.16	0%
					Disbursed by:	
					<input type="checkbox"/> Trustee	
					<input type="checkbox"/> Debtor	
					<input checked="" type="checkbox"/> Other:	
					See Below and Special Terms	

Please explain any disbursements to be made by someone other than the Chapter 13 Trustee of the Debtor:

The Debtors co-signed this car loan for their son, Michael Roundtree. The 2014 Nissan is Michael Roundtree's primary vehicle. The monthly car payment to Founders Federal Credit Union is paid directly by Michael Roundtree and will continue to be paid directly and outside of this Chapter 13 Plan. The Chapter 13 Trustee shall not make payments to Founders Federal Credit Union for the 2014 Nissan Sentra.

Insert additional claims as needed.

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to confirm the Debtor's proposed Plan as amended, or if you want the Court to consider your views on these matters, then you and/or your attorney must file a written objection to confirmation and request for hearing on confirmation at one of the following addresses:

Cases filed in the Charlotte or Shelby Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202

Cases filed in the Statesville Division:

Physical Address: Clerk, U.S. Bankruptcy Court, 200 West Broad Street, Room 301, Statesville, N.C. 28677

Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202

Cases filed in the Asheville or Bryson City Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 100 Otis Street, Room 112, Asheville, N.C. 28801-2611

Your objection to confirmation and request for hearing must include the specific reasons for your objection and must be filed with the Court no later than 21 days following the conclusion of the § 341 meeting of creditors, or within 21 days of service of the amendment, whichever is later. If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadline stated above. You must also serve a copy of your objection to confirmation on the Debtor at the address listed in the notice of the meeting of creditors. The Debtor's attorney and the Chapter 13 Trustee will be served electronically. If any objections to confirmation are filed with the Court, the objecting party will provide written notice of the date, time, and location of the hearing. **No hearing will be held unless an objection to confirmation is filed.**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the proposed plan of the Debtor as amended and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed pursuant to 11 U.S.C. § 1325(a)(5)(A).**

I declare under penalty of perjury that the information provided in this Amendment to Chapter 13 Plan is true and correct as to all matters set forth herein.

Dated 9-3-2020

/s/ Kimberlyne Greenwood Roundtree

Debtor's Signature

Dated 9-30-2020

/s/ Steven Devan Roundtree

Debtor's Signature

I hereby certify that I have reviewed this document with the Debtor and that the Debtor has received a copy of this document.

Dated 9-30-2020

/s/ Diana A. Saffa
DIANA A. SAFFA 48426
Attorney for the Debtor

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing **Amended Chapter 13 plan (FORM 4a)** has been forwarded to the following by US Mail, and/or Electronic Case Filing:

Chapter **13** Trustee
Warren L. Tadlock, Esq.
5970 Fairview Road
Ste. 650
Charlotte, NC 28210
(ECF)

Bankruptcy Administrator (ECF)

All Creditors See attached Matrix

Harris M. Watkins, Attorney
Founders Credit Union
Nexsen Pruet, PLLC
701 Green Valley Road, Suite 100
Greensboro, NC 27408

DATED: September 30, 2020

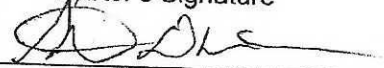
BY: /s/ DIANA A. SAFFA, ESQ. 48426
DIANA A. SAFFA, ESQ. 48426
SAFFA LAW GROUP, PLLC
Attorney for Debtor
10700 Sikes Place, Suite 390
Charlotte, NC 28277
(704) 246-8203
diana@saffalawgroup.com

I declare under penalty of perjury that the information provided in this Amendment to Chapter 13 Plan is true and correct as to all matters set forth herein.

Dated 9/30/2020

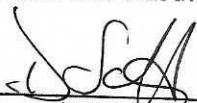

Debtor's Signature

Dated 9/30/2020


Debtor's Signature

I hereby certify that I have reviewed this document with the Debtor and that the Debtor has received a copy of this document.

Dated 9/30/2020


Attorney for the Debtor

Kimberlyne Greenwood Roundtree
8456 Twickenham Terrace
Harrisburg, NC 28075

Capital One
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130

Department of Education/582/Nel
Po Box 82561
Lincoln, NE 68501

DIANA A. SAFFA, ESQ.
SAFFA LAW GROUP, PLLC
10700 Sikes Place, Suite 390
Charlotte, NC 28277

Capital One/Neiman Marcus/Bergdorf Goodman
Po Box 30253
Salt Lake City, UT 84130
Department of Education/582/Nel
Attn: Bankruptcy
Po Box 82561
Lincoln, NE 68501

Amex
P.o. Box 981537
El Paso, TX 79998

Capital One/Neiman Marcus/Bergdorf Goodman
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130
Discover Financial
Pob 15316
Wilmington, DE 19850

Amex
Correspondence/Bankruptcy
Po Box 981540
El Paso, TX 79998

Cavalry Portfolio Services
500 Summit Lake Drive
Valhalla, NY 10595

Discover Financial
Attn: Bankruptcy
Po Box 3025
New Albany, OH 43054

Bank of America
Po Box 982238
El Paso, TX 79998

Cavalry Portfolio Services
500 Summit Lake
Suite 400
Valhalla, NY 10595

Founders Federal CU
737 Plantation Road
Lancaster, SC 29720

Bank of America
4909 Savarese Circle
FI1-908-01-50
Tampa, FL 33634

Chase Card Services
Po Box 15369
Wilmington, DE 19850

Founders Federal CU
Attn: Bankruptcy
737 Plantation Rd
Lancaster, SC 29720

Cabarrus County Tax Administration
65 Church St S
Concord, NC 28025

Chase Card Services
Attn: Bankruptcy
Po Box 15298
Wilmington, DE 19850

Freedom Mortgage
PO Box 619063
Dallas, TX 75261

Calvary Portfolio Services
500 Summit Lake Drive
Suite 400
Valhalla, NY 10595

Citibank
Po Box 6217
Sioux Falls, SD 57117

Freedom Mortgage Corporation
907 Pleasant Valley Ave
Mount Laurel, NJ 08054

Capital One
Po Box 30281
Salt Lake City, UT 84130

Citibank
Citicorp Credit Svcs/Centralized Bk dept
Po Box 790034
St Louis, MO 63179

Freedom Road Financial
10605 Double R Blvd
Reno, NV 89521

Freedom Road Financial
10509 Professional Circle Ste 202
Reno, NV 89521

NC Department of Revenue
Bankruptcy Unit
PO Box 1168
Raleigh, NC 27699

USDOE/GLELSI
2401 International Lane
Madison, WI 53704

Internal Revenue Service
Centralized Insolvency Operations
P.O. Box 7346
Philadelphia, PA 19101-7346

Nexsen Pruet, PLLC
Lake Point
701 Green Valley Road, Suite 100
Greensboro, NC 27402

USDOE/GLELSI
Attn: Bankruptcy
Po Box 7860
Madison, WI 53707

Michael Roundtree
8456 Twickenham Terrace
Harrisburg, NC 28075

Nissan Motor Acceptance Corp.
Pob 660366
Dallas, TX 75266

Navient
Po Box 9500
Wilkes Barre, PA 18773

Piedmont Advantage Cu
3530 Advantage Way
Winston Salem, NC 27103

Navient
Attn: Bankruptcy
Po Box 9640
Wilkes Barre, PA 18773

Synchrony Bank/Care Credit
C/o Po Box 965036
Orlando, FL 32896

Navy FCU
820 Follin Lane Se
Vienna, VA 22180

Synchrony Bank/Care Credit
Attn: Bankruptcy Dept
Po Box 965064
Orlando, FL 32896

Navy FCU
Attn: Bankruptcy Dept
Po Box 3000
Merrifield, VA 22119

U.S. Attorney's Office
227 West Trade St.
Ste. 1650
Charlotte, NC 28202

Navy Federal Credit Union
1 Security Place
Merrifield, VA 22116

USAA Federal Savings Bank
10750 Mc Dermott
San Antonio, TX 78288

Navy Federal Credit Union
Attn: Bankruptcy
Po Box 3000
Merrifield, VA 22119

USAA Federal Savings Bank
Attn: Bankruptcy
10750 Mcdermott Freeway
San Antonio, TX 78288